

**RESOLUTION CLOSING AN ALLEYWAY  
LOCATED OFF THE 1200 BLOCK OF NORTH TRYON STREET  
IN CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close an alleyway off the 1200 block of North Tryon Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close an alleyway off the 1200 block of North Tryon Street to be sent by registered or certified mail to all owners of property adjoining the said alleyway, and prominently posted a notice of the closing and public hearing in at least two places along said alleyway, all as required by G.S. 160-299; and

WHEREAS, the public hearing was held on the 25th day of September, 19 89, and City Council determined that the closing of an alleyway off the 1200 block of North Tryon Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, at its regularly assembled meeting of September 25, 19 89, that the Council hereby orders the closing of an alleyway off the 1200 block of North Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina as described below:

Beginning at a point in the most northern right-of-way line of North Tryon Street having a total right-of-way width of 60 feet, said point being the southwestern corner of an existing 10-foot alley thence with the most western line of said alley N 43-50-00 W 67.28 feet to a point; thence N 43-31-59 E 10.01 feet to point; thence with the most eastern line of said alley S 43-50-00 E 67.74 feet to a point in the most northern right-of-way line of North Tryon Street; thence with said right-of-way line S 46-10-00 W 10.00 feet to the point and place of beginning containing 674 square feet according to a survey prepared by Sam Malone and Associates for Ed Long dated May 16, 1989

BE IT FURTHER RESOLVED that a certified copy of the Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**CERTIFICATION**

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, the reference having been made in Book 93, Page       , and recorded in full in Resolution book 25, Page 407-408.

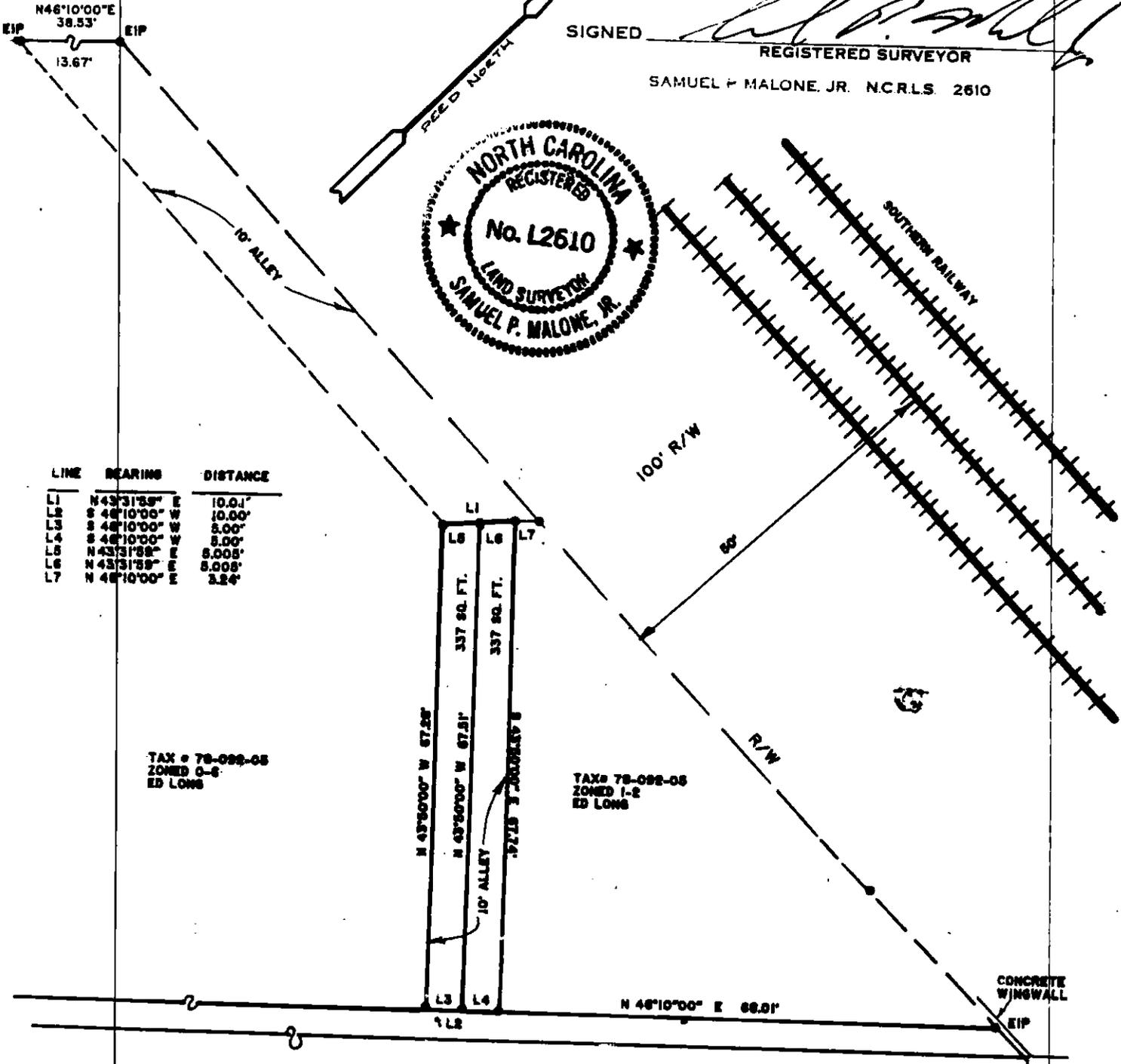
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
Pat Sharkey, City Clerk

THIS IS TO CERTIFY THAT ON THE 16 DAY OF MAY 19 89 I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS IF ANY ARE AS SHOWN HEREON.

Sam Malone & Associates  
 P.O. Box 1139  
 Matthews, N.C. 28106

SIGNED *Samuel P. Malone, Jr.*  
 REGISTERED SURVEYOR  
 SAMUEL P. MALONE, JR. N.C.R.L.S. 2610



LINE	BEARING	DISTANCE
L1	N 43° 31' 59" E	10.01'
L2	S 48° 10' 00" W	10.00'
L3	S 48° 10' 00" W	8.00'
L4	S 48° 10' 00" W	8.00'
L5	N 43° 31' 59" E	8.005'
L6	N 43° 31' 59" E	8.008'
L7	N 48° 10' 00" E	3.24'

TAX # 78-088-05  
 ZONED O-2  
 ED LONG

TAX # 78-088-05  
 ZONED I-2  
 ED LONG

# NORTH TRYON STREET

60' R/W

BOUNDARY OF SURVEY  
 OF  
 10' ALLEY

SCALE 1" = 20'

CHARLOTTE MECK. CO., N.C.

THE PROPERTY OF CITY OF CHARLOTTE

MAP RECORDED IN BOOK \_\_\_\_\_ AT PAGE \_\_\_\_\_ DEED RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

EIP = EXISTING IRON PIN NIP = NEW IRON PIN FOLDER: NOV. 30, 1989

NOTE: STAKES AT ALL CORNERS UNLESS OTHERWISE NOTED

**RESOLUTION CLOSING PARKWOOD AVENUE AND NORTH CALDWELL STREET  
LOCATED BETWEEN EAST NINETEENTH STREET AND  
EAST TWENTIETH STREET IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close Parkwood Avenue and North Caldwell Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Parkwood Avenue and North Caldwell Street to be sent by registered or certified mail to all owners of property adjoining the said streets, and prominently posted a notice of the closing and public hearing in at least two places along Parkwood Avenue and North Caldwell Street, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 25th day of September, 19 89, and City Council determined that the closing of Parkwood Avenue and North Caldwell Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of September 25, 19 89, that the Council hereby orders the closing of Parkwood Avenue and North Caldwell Street in the City of Charlotte, Mecklenburg County, North Carolina as described below:

**TRACT ONE:**

BEING a portion of the right-of-way of Parkwood Avenue, fifty feet in width, from the point at which it merges into North Caldwell Street at the intersection of North Caldwell Street and East Nineteenth Street, to the point at which it intersects Parkwood Avenue Extension, being more particularly described as follows:

BEGINNING at a point located in the northeasterly margin of the right-of-way of East Nineteenth Street, said point being located S. 42-23-29 E. 25.60 feet from the easterly corner of the intersection of North Caldwell Street and East Nineteenth Street, and thence running from said point of BEGINNING, along the arc of a curve to the right, having a radius of 20.0 feet, an arc distance of 34.09 feet; thence continuing along the arc of a curve to the right, having a radius of 293.31 feet, an arc distance of 247.49 feet to a point in the southwesterly margin of the right-of-way of Parkwood Avenue Extension; thence along said margin N. 46-45 W. 87.55 feet; thence along the arc of a curve to the left, having a radius of 343.31 feet (with a cord of S. 84-25-24 W. (92.64 feet), an arc distance of 92.93 feet to a point in the southeasterly margin of North Caldwell Street, described in Tract Two hereinbelow; thence with said margin of North Caldwell Street S. 46-13-41 W. 150.34 feet to a point, the easterly

corner of the intersection of North Caldwell Street and East Nineteenth Street; thence along the northeasterly margin of East Nineteenth Street S. 42-23-19 E. 25.60 feet to the point and place of BEGINNING.

TRACT TWO:

BEING a portion of the right-of-way of North Caldwell Street, forty feet in width, from the point at which it intersects East Nineteenth Street to the point at which it intersects Parkwood Avenue Extension, being more particularly described as follows:

BEGINNING at a point, the easterly corner of the intersection of North Caldwell Street and East Nineteenth Street and thence running N. 46-13-41 E. 199.17 feet to a point in the southwesterly margin of the right-of-way of Parkwood Avenue Extension; thence N. 65-48-40 W. 0.99 feet to a point; thence N. 59-02-35 W. 40.51 feet to a point; thence S. 42-23-19 E. 40.01 feet to the point and place of BEGINNING.

Tract One and Tract Two, above, are more particularly described in a survey drawn by John R. Yarbrough, R.L.S., dated August 14, 1989 to which reference is hereby made.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 19 89, the reference having been made in Minute Book 93, page \_\_\_\_\_, and recorded in full in Resolution Book 25, page 409-411.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
Pat Sharkey, -City Clerk

UNLESS NOTED OTHERWISE IRON PINS WERE INSTALLED ON ALL CORNERS AT TIME OF SURVEY.

BEARINGS BASED ON RECORD PLAT NOTED BELOW.

FOR CONTROL CORNERS & MONUMENTAL TIES, IF ANY, REFER TO RECORD PLAT NOTED BELOW.



DATE 14 AUGUST 1989

SIGNED *John R. Yarbrough*



PARKWOOD AVE. EXT.  
EXISTING 100' PUB. R/W

NC FORMERLY  
CITY OF CHARLOTTE  
209-158

0.188 ACRE

N. CALDWELL ST.

(40' PUB. R/W TO BE REMOVED FROM DEDICATION)

PARKWOOD AVE.

(50' PUB. R/W TO BE REMOVED FROM DEDICATION)

JULIA MAULDEN PL.

40' PUB. R/W

CALDWELL STREET  
PROJECT 2-1  
MB: 21-887

16

17

18

E. NINETEENTH STREET

UNDEDICATION SURVEY

OF  
PARKWOOD AVENUE & N. CALDWELL ST.

CHARLOTTE, N. C.

PROPERTY OF  
CITY OF CHARLOTTE

SCALE 1" = 40'

DEED RECORDED 209 - 158 MAP RECORDED REF: 21-887

SW

EXTRACT FROM MINUTES OF  
MEETING OF CITY COUNCIL OF THE  
CITY OF CHARLOTTE, NORTH CAROLINA

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, in Charlotte, North Carolina, the regular place of meeting, at 2:30 P.M. on September 25, 1989.

Present: Mayor Sue Myrick, presiding, and Councilmembers J. Campbell, S.Campbell, Clodfelter, Dannelly, Fenning, Leeper (replacing Councilmember Rousso who resigned), Matthews, Patterson, Scarborough, Vinroot and Woollen.

Absent: None

Also Present: City Manager O. Wendell White, City Attorney Henry W. Underhill, Jr., and City Clerk Pat Sharkey

\* \* \* \* \*

Councilmember Dannelly introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title:

RESOLUTION AUTHORIZING THE CITY OF CHARLOTTE TO FINANCE CERTAIN COSTS RELATING TO THE ACQUISITION OF PERSONAL PROPERTY BY MEANS OF A SECURED FINANCING IN A PRINCIPAL AMOUNT UP TO \$6,500,000, TO SECURE SUCH FINANCING BY A LIEN UPON AND SECURITY INTEREST IN THE PERSONAL PROPERTY ACQUIRED WITH THE PROCEEDS OF SAID FINANCING; AUTHORIZING THE NEGOTIATION, EXECUTION, DELIVERY AND PERFORMANCE OF A FINANCING AGREEMENT IN CONNECTION WITH SAID SECURED FINANCING BETWEEN THE CITY OF CHARLOTTE AND BANC ONE LEASING CORPORATION -- FIRST MUNICIPAL DIVISION/NCNB NATIONAL BANK OF NORTH CAROLINA; AUTHORIZING COVENANTS AND REPRESENTATIONS OF THE CITY AS TO

ITS COMPLIANCE WITH TAX COVENANTS RELATING TO THE FINANCING AS CONTAINED IN THE FINANCING AGREEMENT; PROVIDING FOR PAYMENT OF THE CITY'S OBLIGATIONS UNDER THE FINANCING FROM LEGALLY AVAILABLE CITY FUNDS; PRESCRIBING OTHER DETAILS IN CONNECTION WITH THE FINANCING; AND AUTHORIZING THE CITY TO EXECUTE, DELIVER OR ACKNOWLEDGE ANY OTHER DOCUMENTS NECESSARY TO EFFECT SAID SECURED FINANCING AND THE TRANSACTIONS CONTEMPLATED BY THE FINANCING AGREEMENT.

WHEREAS, the City of Charlotte (the "City") is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of North Carolina; and

WHEREAS, pursuant to Section 160A-20 of the North Carolina General Statutes, the City is authorized to finance the purchase of real or personal property by installment contracts that create in the property purchased a security interest to secure payment of the purchase price to the party advancing moneys or supplying financing for the purchase transaction; and

WHEREAS, the City proposes to finance the acquisition of certain equipment, vehicles and other personal property (collectively the "Acquired Property") and related costs by a financing (the "Loan") from or through Banc One Leasing Corporation -- First Municipal Division/NCNB National Bank of North Carolina (collectively, together with any participants in the Loan, the "Lenders") in a principal amount up to \$6,500,000 pursuant to a financing agreement (the "Financing Agreement") between the City and the Lenders to be secured by a lien upon and security interest in the Acquired Property acquired with the proceeds of the Loan; and

WHEREAS, in accordance with Section 160A-20, no deficiency judgment may be rendered against the City with respect to its obligation to repay the Loan, and the taxing power of the City is not and may not in any way be pledged, directly or indirectly, to secure repayment of the Loan;

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "City Council") of the City:

Section 1. The City Council hereby approves the financing of acquisition of the Acquired Property and related costs by the Loan from the Lenders to the City pursuant to the Financing Agreement in a principal amount up to \$6,500,000, with principal payable in five annual installments, beginning in 1990, with an approximately level annual rate of debt service, and with semi-annual interest payments at a rate not to exceed 6.70% per annum, said Loan to be secured by a lien upon and security interest in the Acquired Property.

Section 2. The Financing Agreement, in substantially the form presented at this meeting, and the performance by the City of its obligations thereunder, including, without limitation, its representations, warranties and covenants as to matters affecting the tax-exempt status of interest on the Loan, are hereby approved, and the Mayor and the City Manager of the City and either of them are hereby authorized and directed to execute and deliver, and the City Clerk is hereby authorized and directed to attest and acknowledge, as may be appropriate, on behalf of the City the Financing Agreement substantially in such form with such

necessary and appropriate variations, omissions and additions as may be approved by the persons signing on behalf of the City, their execution and delivery thereof constituting conclusive evidence of approval of any such variations, omissions and additions.

Section 3. The Mayor, the City Manager, the Director of Finance and the City Treasurer, and the other officers of the City, acting on behalf of the City, or any of them are hereby authorized and directed, as otherwise appropriate, to negotiate, enter into, execute and deliver for and on behalf of the City, and the City Clerk is hereby authorized and directed to attest and acknowledge, as may be appropriate, any and all addenda, exhibits, schedules or supplements to the Financing Agreement and any and all financing statements, or other instruments or agreements issued under or entered into pursuant to the provisions of the Financing Agreement and any other certificate, instrument or document relating to the Financing Agreement and the transactions contemplated thereby, including, without limitation, a promissory note, a security agreement and agreements regarding the holding of the Loan proceeds in escrow pending disbursement, and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

Section 4. This Resolution shall take effect upon its passage.

Upon motion of Councilmember Dannelly, seconded by Councilmember Scarborough, the foregoing resolution was passed by the following vote:

Ayes: Councilmembers J. Campbell, S. Campbell, Clodfelter, Dannelly, Fenning, Leeper, Matthews, Patterson, Scarborough, Vinroot and Woollen

Noes: None

\* \* \* \* \*

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the City Council of said City at a regular meeting held September 25, 1989, as relates in any way to the passage of a resolution providing for a secured personal property financing up to \$6,500,000 by said City, that all required notices of such meeting were given and that said proceedings are recorded in Minute Book 93 of the minutes of said City Council beginning on page      and ending at page     .

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, in the Conference Center on the first Monday of each month at 5:00 P.M., except January, June, July, November and December (the first Tuesday in September at 5:00 P.M.) (workshop); (the first Monday in December at a time and place to be determined for swearing in ceremonies); and in

the Meeting Chamber on the second Monday of each month at 7:30 P.M., except March, May, July and August (the second Tuesday in October and November at 7:30 P.M.); the third Monday of each month at 6:00 P.M. except August (the third Tuesday in January at 6:00 P.M. and the third Wednesday in October at 6:00 P.M.); and the fourth Monday of each month at 2:30 P.M., except November and December (the fourth Tuesday in July at 2:30 P.M.), has been on file in my office pursuant to North Carolina General Statutes, Section 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the official seal of said City, this 28th day of September, 1989.

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City Clerk

(SEAL)

## RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U. S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U. S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder; and

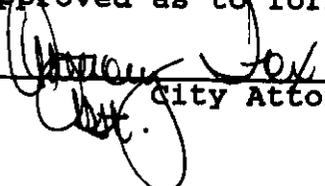
WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina:

1. That the City Manager is authorized to execute and file applications on behalf of the City of Charlotte with the U. S. Department of Transportation and North Carolina Department of Transportation, to aid in the financing of transit assistance projects.
2. That the City Manager is authorized to execute and file with such applications an assurance or any other document required by the U. S. Department of Transportation or the North Carolina Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the Director of the Charlotte Department of Transportation is authorized to furnish such additional information as the U. S. Department of Transportation may require in connection with the application for the project;

- 4. That the City Manager or his designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
- 5. That the Mayor is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U. S. Department of Transportation and the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

Approved as to form:

  
 \_\_\_\_\_  
 City Attorney

September 4, 1989  
 \_\_\_\_\_  
 Date

CERTIFICATION

The undersigned duly qualified and acting City Clerk of the City of Charlotte certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Charlotte City Council held on September 25, 1989.

\_\_\_\_\_  
 Pat Sharkey  
 City Clerk

September 27, 1989  
 \_\_\_\_\_  
 Date

**RESOLUTION DIRECTING THAT STORM DRAINAGE IMPROVEMENTS  
BE MADE ON PICKENS COURT, FERGUSON COURT, AND COSBY PLACE IN THE  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, Joyce Glines has filed a Petition to make storm drainage improvements on Pickens Court, Ferguson Court, and Cosby Place in the City of Charlotte, North Carolina; and

WHEREAS, the storm drainage improvements shall be made on private property at the 1800 block of Pickens Court, 1800 block of Ferguson Court, and 3200 block of Cosby Place as shown on a map marked "Exhibit A" which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, one-fifth of the cost of the storm drainage improvements construction in accordance with City standards, of a character, size, type and material to be determined by the City and including grading or regrading, exclusive of the cost incurred in maintained street rights-of-way and the share of railroads (if any) and the State of North Carolina (if any) be assessed upon the involved lots and parcels of land as authorized by N.C.G.S. Article 10, Chapter 160A, City Charter Section 7.101 et seq, and the Storm Drainage Repair Policy, and listed on the limited petition marked "Exhibit B" which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, the final assessments, based on the actual total cost of constructing the improvements or the cost estimated by the City Engineer at the time of City Council approval, whichever is less, and published by the Mecklenburg County Tax Collector, may be paid without interest within 30 days of the publication, or in ten annual installments accruing 8% interest on the unpaid balance, due and payable each year on the date property taxes are due; and

WHEREAS, all involved property owners subject to assessment have signed a petition requesting that storm drainage repairs be made and one-fifth of the private property cost be assessed on their lots and parcels of land, precluding the need for a public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, at its regularly assembled meeting of September 25, 1989, that the Council hereby orders the making of storm drainage improvements on Pickens Court, Ferguson Court, and Cosby Place in the City of Charlotte, North Carolina.

BE IT FURTHER RESOLVED that a certified copy of the Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

APPROVED AS TO FORM:

*Cynthia A. Clive*  
Asst City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, the reference having been made in Book 93, Page \_\_\_\_\_, and recorded in full in Resolution book 25, Page 420.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
Pat Sharkey, City Clerk

RESOLUTION

EXTRACT FROM THE MINUTES OF A Regular  
MEETING OF THE Charlotte City Council  
HELD ON September 25, 1989

The following Resolution was introduced by Councilmember Patterson  
seconded by Councilmember Scarborough, read in full, considered  
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF GRANT AGREEMENT FOR PROJECT NUMBER  
3-37-0012-12 BETWEEN THE UNITED STATES OF AMERICA AND  
City of Charlotte

BE IT RESOLVED, by the City Council of the City of  
Charlotte, North Carolina

SECTION 1. That said City Council hereby authorizes,  
adopts, approves, accepts and ratifies the execution of Grant Agreement  
between the Federal Aviation Administration on behalf of the United  
States of America and the City of Charlotte

SECTION 2. That the Execution of said Grant Agreement in  
quadruplicate on behalf of said City Council  
by Sue Myrick; Mayor  
and the impression of the official seal of the \_\_\_\_\_  
(if there is no seal, so state  
and the attestation by Pat Sharkey; City Clerk  
is hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Aviation Director is hereby  
(Title of Position, Airport  
Manager, City Manager, etc.)  
to execute payment requests under this Grant Agreement on behalf of said  
City of Charlotte

APPROVED AS TO FORM

Henry W. Underhill Jr.  
CITY ATTORNEY

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 422-423.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

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Pat Sharkey, City Clerk

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**A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT PERTAINING TO THE PROVISION OF CURBSIDE RECYCLING SERVICES**

WHEREAS, N.C. Gen. Stat. Section 160A-461, "Interlocal cooperation authorized," authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, the City of Charlotte and Mecklenburg County wish to enter into an agreement entitled "1989 Curbside Recycling Interlocal Agreement"; and

WHEREAS, N.C. Gen. Stat. Section 160A-461 requires that such agreement"....shall be ratified by resolution of the governing board of each unit spread upon its minutes";

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the Mayor of the City of Charlotte is hereby authorized and directed to execute the attached 1989 Curbside Recycling Interlocal Agreement between the City of Charlotte and Mecklenburg County and that this resolution shall be spread upon the minutes.

Approved as to form:

  
City Attorney

**CERTIFICATION**

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 426.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
Pat Sharkey, City Clerk

CERTIFIED COPY OF RESOLUTION

A motion was made by Councilmember Patterson and seconded by Councilmember Scarborough for the adoption of the following resolution, and upon being put to a vote was duly adopted:

WHEREAS, the Department of Transportation, an agency of the State of North Carolina, pursuant to the provisions of G.S. 136-18(12) proposes to contract with the Federal Highway Administration to obtain Federal-Aid funds for the improvements in the protective devices at certain highway-railway crossings on the Municipal Street System for which the Municipality is responsible; and

WHEREAS, the Municipality will reimburse the Department of Transportation for any and all expense incurred in the planning, design and installation of the protective devices incurred by the Department of Transportation, not reimbursed by the Federal Highway Administration; and

WHEREAS, in order to carry out the aforesaid projects and to promote the public interest and general welfare of the Municipality, it is necessary for the Municipality to enter into a contract with the Department of Transportation to provide for the installation and maintenance of the protective devices at certain highway-railroad crossings on the Municipal Street System.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor and the Clerk of the Municipality of Charlotte are hereby formally authorized to enter into a contract with the Department of Transportation to obtain Federal-Aid highway funds necessary to improve the protective devices at the said grade crossing(s), for the Department of Transportation to perform certain work, and the Mayor and Clerk of the Municipality are hereby empowered to sign and execute the required agreement between the Municipality and the Department of Transportation.

I, Pat Sharkey Clerk of the Municipality of Charlotte, do hereby certify that the above is a true and correct copy of the excerpts of the Minutes of the governing body of the said Municipality of a meeting duly held on the 25th day of September, 1989.

WITNESS my hand and the official seal of the Municipality, this the 27th day of September, 1989.

-----  
Pat Sharkey, City Clerk

(SEAL)

Municipality of: Charlotte

APPROVED AS TO FORM:

Anthony J. [Signature]  
Asst. City Attorney

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Patterson and seconded by  
Councilmember Scarborough for the adoption of the following  
Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans for the construction of the Charlotte Outer Loop Interchange with I-77 from North of Westinghouse Boulevard Interchange to South of Arrowood Road Interchange along I-77; and,

WHEREAS, said Department of Transportation and the Municipality of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions to relocate and adjust certain municipally-owned sewer lines along the project; and,

WHEREAS, the Municipality agrees to reimburse the Department of Transportation for the cost of said work with reimbursement to be made in a lump-sum amount upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project R-0211HA, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 25th day of September, 1989.

WITNESS, my hand and the official seal of said Municipality on this the 27th day of September, 1989.

(SEAL)

CLERK  
MUNICIPALITY OF CHARLOTTE  
NORTH CAROLINA

Approved as to Form

H. Michael J. Dwyer  
City Attorney

**Resolution Directing that Storm Drainage Improvements  
Be Made on Parson Street in the  
City of Charlotte, Mecklenburg County, North Carolina**

WHEREAS, James A. Raines has filed a Petition to make storm drainage improvements on Parson Street in the City of Charlotte, North Carolina; and

WHEREAS, the storm drainage improvements shall be made on private property at 1733 Parson Street as shown on map marked "Exhibit A", which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, 20% of the cost of the storm drainage improvements construction in accordance with City standards, of a character, size, type and material to be determined by the City and including grading or regrading, exclusive of the cost incurred in maintained street rights-of-way and the share of railroads (if any) and the State of North Carolina (if any) be assessed upon the involved lots and parcels of land as authorized by N.C.G.S. Article 10, Chapter 160A, City Charter Section 7.101 et seq, and the Storm Drainage Repair Policy, and listed on the limited petition marked "Exhibit B", which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, the final assessments, based on the actual total cost of constructing the improvements or the cost estimated by the City Engineer at the time of City Council approval, whichever is less, and published by the Mecklenburg County Tax Collector, may be paid without interest within 30 days of the publication, or in ten annual installments accruing 8% interest on the unpaid balance, due and payable each year on the date property taxes are due; and

WHEREAS, all involved property owners subject to assessment have signed a petition requesting that storm drainage repairs be made and 20% of the private property cost be assessed on their lots and parcels of land, precluding the need for a public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, at its regularly assembled meeting of September 25, 1989, that the Council hereby orders the making of storm drainage improvements on Parson Street in the City of Charlotte, North Carolina.

BE IT FURTHER RESOLVED that a certified copy of the Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 429.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
Pat Sharkey, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE ALL OF CHAMBERLAIN STREET, THE PORTION OF HEYWOOD AVENUE BETWEEN LINDBERGH STREET AND ALLEGHANY STREET AND THE PORTION OF THE 10-FOOT ALLEYWAY RUNNING APPROXIMATELY PARALLEL TO ASHLEY ROAD BETWEEN LINDBERGH STREET AND ALLEGHANY STREET IN THE CITY OF CHARLOTTE, COUNTY OF MECKLENBURG, NORTH CAROLINA

WHEREAS, First Union National Bank of North Carolina and Billy Shaw Howell, Jr., Co-Executors under the Will of Mary B.A. Howell have filed a Petition to close

- (a) all of Chamberlain Street;
- (b) the portion of Heywood Avenue between Lindbergh Street and Alleghany Street; and
- (c) the portion of the 10-foot alleyway running approximately parallel to Ashley Road between Lindbergh Street and Alleghany Street

and more particularly shown in "Exhibit A" and described by metes and bounds in a document marked "Exhibit B," both of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the procedure for closing streets and alleyways as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the streets and alleyway and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the streets and alleyway as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said streets and alleyway; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of September 25, 1989, that it intends to close all of Chamberlain Street, the portion of Heywood Avenue between Lindbergh Street and Alleghany Street and the portion of the 10-foot alleyway running approximately parallel to Ashley Road between Lindbergh Street and Alleghany Street, said streets and alleyway being more particularly described on a map and by a metes and bound description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 2:30 p.m., on Monday, the 23rd day of October, 1989, at 2:30 p.m.. The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing, as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 430-421.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
Pat Sharkey, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Stony Creek Outfall-Phase I Project; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

George Luther White; Sylvester White; Carrie Harris; Deryl Wallace; Myra Kay Wallace; Robert White; Mary White; Beatrice White Weathers; Lewis Weathers; Pearl McLaughlin Blair; May McLaughlin Thomas; John W. Haynes; Alice Mildred H. Parks; Treatie Jones Alexander; Anthony Alexander; Lois Wallace Alexander; Willie Bell Reid Alexander; Augusta Thomas Alexander; Eala Reid Alexander; Eldred Alexander; Margie Boyd Alexander; Brandon Alexander; Bessie Alexander Caldwell; Alfred T. Caldwell; Rose Alexander Gillespie; Westcoe Gillespie; Isaace Alexander; Rebecca R. Alexander; Ruth Alexander Mann; Eloho J. Barnette; Loretta J. McCrae; Sadie Weathers Johnson; Robie Johnson; Larry Johnson; Denise Johnson; Sharon Nance; Teresa Steel; Otheria J. Weathers; Vada Johnson; Ethel McLaughlin; Mrs. Wilbur McLaughlin Nurse; Robert McLaughlin; Katie McLaughlin Jackson; Nellie McLaughlin Maxwell; Lester McLaughlin; Jerry Potts; Irene Smith Wallace; Madge Smith Franklin; Louise Smith Morris; Robert Smith; Lillie Smith Glenn; Julie Smith; William Smith; Jean Smith; Margery Smith Goodman; Any Other Parties in Interest

Property Description

14,082.25 s.f. (0.32 acre), plus a temporary construction easement and any other interest as shown on the Plat attached hereto and incorporated herein by reference for Tax Parcel No. 029-051-02.

Appraised Value

\$ 1,500.00

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, and the reference having been made in Minute Book 93, Page     , and recorded in full in Resolutions Book 25, Page 432-433.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Stony Creek Outfall-Phase I Project; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

George Luther White; Sylvester White; Carrie Harris; Deryl Wallace; Myra Kay Wallace; Robert White; Mary White; Beatrice White Weathers; Lewis Weathers; Pearl McLaughlin Blair; May McLaughlin Thomas; John W. Haynes; Alice Mildred H. Parks; Treatie Jones Alexander; Anthony Alexander; Lois Wallace Alexander; Willie Bell Reid Alexander; Augusta Thomas Alexander; Eala Reid Alexander; Eldred Alexander; Margie Boyd Alexander; Brandon Alexander; Bessie Alexander Caldwell; Alfred T. Caldwell; Rose Alexander Gillespie; Westcoe Gillespie; Isaace Alexander; Rebecca R. Alexander; Ruth Alexander Mann; Eloho J. Barnette; Loretta J. McCrae; Sadie Weathers Johnson; Robie Johnson; Larry Johnson; Denise Johnson; Sharon Nance; Teresa Steel; Otheria J. Weathers; Vada Johnson; Ethel McLaughlin; Mrs. Wilbur McLaughlin Nurse; Robert McLaughlin; Katie McLaughlin Jackson; Nellie McLaughlin Maxwell; Lester McLaughlin; Jerry Potts; Irene Smith Wallace; Madge Smith Franklin; Louise Smith Morris; Robert Smith; Lillie Smith Glenn; Julie Smith; William Smith; Jean Smith; Margery Smith Goodman;  
Any Other Parties in Interest

Property Description

35,800 s. f. (0.82 acres), plus a temporary construction easement and any other interest as shown on the Plat attached hereto and incorporated herein by reference for Tax No. 029-041-21.

Appraised Value

\$ 3,580.00

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Cludschill Jr.  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 25th day of September, 1989, and the reference having been made in Minute Book 93, Page \_\_\_\_\_, and recorded in full in Resolutions Book 25, Page 434-435.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 27th day of September, 1989.

\_\_\_\_\_  
City Clerk